

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 597 - HB 972**

March 11, 2019

**SUMMARY OF ORIGINAL BILL:** Creates a Class C felony offense for communicating a threat of public harm. Authorizes juvenile detention for juveniles communicating a threat of public harm.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures – \$96,800 Incarceration\*

**SUMMARY OF AMENDMENT (005601):** Deletes and replaces all language after the enacting clause without making any substantive changes to the legislation.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- The proposed legislation will result in one threat of public harm admission every year.
- Population growth and recidivism will not impact these admissions.
- The average time served for a Class C felony is 3.62 years.
- According to the DOC, the average operating cost per offender per day for calendar year 2019 is \$73.18.
- The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on one offender admitted every year serving 3.62 years (1,322.21 days) for an annualized increase in state incarceration expenditures of \$96,759 (\$73.18 x 1,322.21).
- Any offenses committed under the statute by minors will be disposed of in juvenile court, and any time served by a minor will be in juvenile detention.
- The proposed legislation will not significantly impact trial caseloads or significantly increase expenditures related to juvenile detention.

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\*Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/amj